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MEDTRONIC LAW DEPARTMENT - CONFIDENTIAL

Attention:

Group 3762

Company:

United States Patent and Trademark Office

Telephone:

Facsimile:

703-872-9306

Application No.:

10/749,595

Filing Date:

Decmeber 31, 2003

From: Keith M. Campbell, Esq.

Telephone:

763-505-0405

Facsimile:

763-505-0411

Our Ref. No.:

P-8223.02US

Date:

December .

Pages (including cover page);

Comments:

Enclosed are the following documents for filing in the above-identified

application:

Transmittal Letter

Supplemental Information Disclosure Statement

List of References (1449 Form)

Reference

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PATENT

Docket No.: P-8223.02 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Benoit Marchal and Warren

Group Art Unit:

3762

Application No.:

Starkebaum 10/749,595

Examiner:

Not Assigned Yet

Filed:

December 31, 2003

Due Date:

For:

Gastroelectric Stimulation for Influencing Pancreatic Secretions

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TRANSMITTAL LETTER

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Enclosed for filing in the above-identified application are the following:

図 Supplemental Information Disclosure Statement

PTO Form 1449 Cited References

X The Commissioner is hereby authorized to charge or credit any deficiencies or overpayments, which may have been overlooked on this Transmittal Letter with regard to this filing, to Deposit Account No. 13-2546. A duplicate of this Transmittal Letter is enclosed.

Respectfully, submitted,

Date: December 3 , 2004

Keith M. Campbell Registration No. 46,597

MEDTRONIC, INC.

710 Medtronic Parkway NE, MS: LC340

Minneapolis, MN 55432-5604

Telephone: 763-505-0405 Facsimile: 763-505-0411 Customer No.: 27581

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Docket No.: P-8223.02 US

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No certification or fee is required.

The Examiner's attention is directed to co-pending U.S. Patent Application No. 09/537,070, filed March 28, 2000, which is directed to related subject matter. The identification of this U.S. patent application is not to be construed as a waiver of secrecy as to that application

Application No.: 8223,02 US

now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

In accordance with 37 C.F.R. § 1.98(a)(2)(i), Applicant submits herewith paper copies of only those references which are identified on Form PTO SB08 as foreign patent documents or non-patent literature.

By submitting these references, Applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which Applicant is unaware.

Pursuant to the waiver of the requirements under 37 C.F.R. 1.98(a)(2)(i) as stated in a Pre-Official Gazette Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached. A copy is also enclosed of the PCT International Search Report issued in the corresponding PCT application.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2546.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned, indicating that such information has been considered.

Date: December 3 .2004

Respectfully submitted,

Keith M. Campbell

Registration No. 46,597

MEDTRONIC, INC.

710 Medtronic Parkway NE, MS: LC340

Minneapolis, MN 55432-5604 Telephone: 763-505-0405

Facsimile: 763-505-0411 Customer No.: 27581

PTO/SB/05b (06-03)
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a baselit by the public which is so file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be seen to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commence FO. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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